

MINUTES OF MEETING  
RUSH RIVER WATER RESOURCE DISTRICT  
CASS COUNTY HIGHWAY DEPARTMENT  
WEST FARGO, NORTH DAKOTA  
JUNE 17, 2014

The Rush River Water Resource District met on June 17, 2014, at 8:00 a.m. at the Cass County Highway Department, West Fargo, North Dakota.

Present were Raymond Wolfer, Chairman; William A. Hejl, Manager; Dick Sundberg, Manager; Carol Harbeke Lewis, Secretary-Treasurer; Brittany C. Moen, Administrative Assistant; Sean M. Fredricks, Attorney for the Board; Mike Opat, Engineer for the Board; Brandon Oye, Moore Engineering, Inc.; Lloyd Knight, property owner in Amenla Township; and Phil McIntyre, property owner in Raymond Township.

**Minutes**

It was moved by Manager Hejl, seconded by Manager Sundberg and unanimously carried to approve the minutes of the May 19, 2014, meeting, as presented.

**Drain #70 – diking of designed berm breakout areas**

Brady Woodard said he inspected Drain #70 and spoke with area landowners after a designed breakout in the berm on the drain had been diked off in Section 14 of Berlin Township. He reported that the dike has since been removed. No additional sites had been diked, so no formal complaints were necessary.

**Drain #30 Improvements**

Mike Opat said plans and specifications for Drain #30 Improvements are nearly complete, and hopes bid opening can take place by July.

Sean Fredricks distributed draft *Purchase Agreement* and *Permanent Easement* documents and reviewed discussion from the last Cass County Joint Water Resource District meeting regarding the concept of using permanent easements as opposed to temporary easements for drain right-of-way. The Board emphasized the importance of the landowner / operator having the ability to maintain the back-slope of drains. Mr. Fredricks said a *Permanent Easement* would allow for that and also provide the Board with the ability to perform maintenance on the drain.

Mr. Fredricks suggested having desktop appraisals done to help with right-of-way negotiations with landowners in the future.

### **Loeering's Addition Development**

Brandon Oye met with the Board to discuss Loeering's Addition Development along Drain #64, south of Cass County Highway 10. He explained that the current landowner has expressed interest in donating the property. He presented a preliminary plat of residential development on the property, which would require a raise in elevation. Manager Hejl said the property is currently in the floodplain, and is concerned that alterations to elevation of the property would affect flood events and water displacement. He stated that the city could have a park at that location and let it continue to act as a floodway.

The Maple River–Rush River Joint Water Resource District will send a letter to the City of Casselton requesting a copy of plats before they are approved to allow for the Board's review and comments.

### **Drain #52 Improvements**

Mike Opat distributed the profile for Drain #52 for the Board's review. Manager Hejl said the landowner on the west end of the drain feels the property should not be part of the improvement project. Removing the property from the proposed project would also save on cost. Manager Hejl would like to see the project done in phases so grass can get established.

Mr. Opat reviewed cost-estimates for different options. He will speak with the Natural Resources Conservation Service regarding potential cost-share for the drop structures on the project, and with the Corps of Engineers regarding the Section 408 Permit. The Board directed the Water Resource District Attorney to proceed with work on reassessment of the drain.

### **Cass County Weed Control**

It was moved by Manager Hejl and seconded by Manager Sundberg to hire Larson Helicopters, LLC, to spray Rush River Water Resource District facilities and to apply a product with a residual effect to save on future costs. Upon roll call vote, the motion carried unanimously.

### **Drain inspections**

Phil McIntyre met with the Board to express his concern regarding slides on the Rush River. Chairman Wolfer explained that maintenance on the Lower Branch of the Rush River has been delayed due to the design of the Metro Flood Diversion Project. Brady Woodard will monitor the Rush River, and added that he is nearly complete with the inspection of Rush River Water Resource District facilities. He will discuss his findings at a future meeting.

### **Project WET 2014 – sponsorship of educators/youth leaders**

It was moved by Manager Hejl and seconded by Manager Sundberg to sponsor one educator / youth leader within the Rush River Water Resource District to attend a Project WET Program in 2014. Upon roll call vote, the motion carried unanimously.

**Meeting procedures**

It was moved by Manager Hejl and seconded by Manager Sundberg to adopt the *Meeting Procedures, Policies and Practices* for the Rush River Water Resource District. Upon roll call vote, the motion carried unanimously.

**Review of open meeting laws**

Mr. Fredricks reviewed open meeting laws with the Board.

**2015 budget and 2014 maintenance levy assessments**

The Board reviewed the 2015 budget and 2014 maintenance levy assessments. The issue will be discussed at the next meeting.

**Bills**

It was moved by Manager Hejl and seconded by Manager Sundberg to approve payment of Checks #3936 through #3941 and the electronic funds transfer, as presented. Upon roll call vote, the following Managers voted in favor: Wolfer, Hejl and Sundberg. The Chairman declared the motion passed.

**Amenia Township Improvement District No. 74**

Lloyd Knight met with the Board regarding unfinished work on the project in the SE 1/4 of Section 8 in Amenias Township. Mr. Woodard explained that work has been delayed due to wet conditions, but will update Mr. Knight on the matter in the future.

**Adjournment**

There being no further business to be considered by the Board, it was moved by Manager Hejl, seconded by Manager Sundberg and unanimously carried to adjourn the meeting.

APPROVED:

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Raymond Wolfer  
Chairman

ATTEST:

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Carol Harbeke Lewis  
Secretary-Treasurer